

REMARKS

In the Amendment, claim 1 has been amended to recite a fluorine-containing elastomeric terpolymer consisting essentially of 30 to 85 % by mole of ethylene unit, 14.9 to 45 % by mole of hexafluoropropylene unit and 0.1 to 25 % by mole of vinylidene fluoride unit.

Entry of the Amendment is respectfully requested. Upon entry of the Amendment, claims 1, 5 and 8-19 will be all the claims pending in the application.

I. Response to Rejection Under 35 U.S.C. § 102

Claims 1, 5 and 8-19 remain rejected under 35 U.S.C. § 102(b) as being anticipated by Arcella et al. (EP 0 518 073 A1) (“EP ‘073”).

Applicants respectfully submit that the present claims are novel over EP ‘073 for at least the following reasons.

Present independent claim 1 recites “a terpolymer” obtained by polymerization of three components: vinylidene fluoride (VDF), hexafluoropropene (HFP) and ethylene (E). In contrast, Arcella et al discloses a copolymer obtained by polymerization of at least four components such as VDF, HFP, E and tetrafluoroethylene (TFE). Therefore, the terpolymer of the present invention is different from the copolymer disclosed in Arcella et al.

Further, Applicants have amended claim 1 to clarify that the present invention relates to a fluorine-containing elastomeric terpolymer.

Moreover, the present invention provides a terpolymer having necessary and sufficient amine resistance and capable of polyol vulcanization as well, while heat resistance, oil resistance

and chemical resistance nearly equal to those of conventional fluororubber, by containing the above-described VDF, HFP and E at a particular ratio.

In addition, it is asserted that Applicants have not provided a worksheet of the amounts calculated for the examples of EP '073 in the Amendment filed July 7, 2005.

Applicants wish to point out that the Remarks portion of the Amendment clearly describes that the compositions were recalculated to bring the total amount of three components, i.e., VdF, HFP and ET, to 100 mol% (page 4). In addition, the sum of the three components in each composition was 100 mol%.

In view of the foregoing, Applicants respectfully submit that the present claims are not anticipated by EP '073 and thus the rejection should be withdrawn.

II. Conclusion

In view of the above, reconsideration and allowance of claims 1, 5 and 8-19 are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Application No.: 10/018,367

Attorney Docket Q67396

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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